REMARKS

Claims 1-14 are currently pending in the present application, none of which have been amended.

Double Patenting Rejection

Claims 1-14 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-2 and 5 8 of co-pending application number 10/733,055. Claims 1-14 were also provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-4 of USPN 7,181,653. Applicants respectfully traverse such rejection.

Attached is a terminal disclaimer in compliance with 37 C.F.R. § 1.321(c). Thus, the non-statutory double patenting rejection is believed to be overcome.

Rejection under 35 U.S.C. § 102

Claims 1-4, 6, 8-11, and 13 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Miller* (US 6,742,141). Applicants respectfully traverse such rejection.

Claim 1 (and similarly Claim 8) recites a step of "collecting real-time connectivity information by said client computer system" and a step of "storing said real-time connectivity information in a local persistent knowledgebase within said client computer system."

On page 9 of the Final Office Action, the Examiner asserts that the claimed collecting step is disclosed by *Miller* in col. 9, lines 53-64 and Figure 5, and that the claimed storing step is disclosed by *Miller* in col. 9, lines 20-64 and Figure 5. In col. 9, lines 53-55, *Miller* teaches that a configuration analyzer **82** can determine the connectivity of the network, and a traffic recorder **83** monitors and records communications on the network. However, *Miller* does not teach or suggest that the claimed real-time connectivity information to be collected by a client computer system. Furthermore, *Miller* does not teach or suggest that the claimed real-time connectivity information to be stored a local persistent knowledgebase of the client computer system. This

is because *Miller*'s customer knowledge base **81** only contains entries made up of executable code, and each entry has four parts: the initialization, the immediate response, the symptom and the solution (col. 9, lines 23-31). It is clear that none of the above-mentioned entries is the same as the claimed real-time connectivity information.

Claim 1 also recites a step of "utilizing said real-time connectivity information by said client computer system to establish a network connection with a computer network."

On page 10 of the Final Office Action, the Examiner asserts that the claimed utilizing step is disclosed by *Miller* in col. 9, lines 62-64 and col. 11, lines 2-14. Col. 9, lines 62-64 states that the "communications subsystem **90** manages the communication required in order to use more than one machine to diagnose or repair a problem involving the network." Since communications subsystem **90** manages communications between machines, incidentally it means that communications have already been established. In contrast, the claimed utilizing step uses the above-mentioned real-time connectivity information (which is not taught or suggested by *Miller*) to establish a network connection.

As for col. 11, lines 2-14, *Miller* teaches that each machine **126** at a customer site **123** keeps a smaller subset **128** of a customer knowledge base **125** for containing enough information to solve connectivity problems involving a local area network **127**. Again, such teachings are not related to "utilizing said real-time connectivity information ... to establish a network connection with a computer network," as claimed.

In addition, Claim 1 recites a step of "determining whether or not a connection failure occurred at said network connection" and a step of "in a determination that a failure occurred at said network connection, invoking an inference engine to utilize said real-time connectivity information in said local persistent knowledgebase to re-establish a network connection to said computer network."

On page 15 of the Final Office Action, the Examiner states that the claimed determining step is not explicitly disclosed by *Miller*. Since *Miller* does not disclose the claimed determining, *Miller* would not have taught or suggested the claimed invoking step either because the claimed determining step is a condition precedent to the claimed invoking step.

Because the claimed invention includes novel features that are not taught or suggested by *Miller*, the § 102 rejection is believed to be overcome.

Rejection under 35 U.S.C. § 103

Claims 1-4, 6, 8-11, and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Miller* (US 6,742,141) in view of *Wall et al.* (US 2003/0142633). Applicants respectfully traverse such rejection.

Claim 1 (and similarly Claim 8) recites steps of "collecting real-time connectivity information by said client computer system," "storing said real-time connectivity information in a local persistent knowledgebase within said client computer system," and "utilizing said real-time connectivity information by said client computer system to establish a network connection with a computer network." *Miller* does not teach or suggest the claimed collecting, storing and utilizing steps, as explained previously.

Claim 1 also recites steps of "determining whether or not a connection failure occurred at said network connection" and "in a determination that a failure occurred at said network connection, invoking an inference engine to utilize said real-time connectivity information in said local persistent knowledgebase to re-establish a network connection to said computer network."

On page 15 of the Final Office Action, the Examiner states that the claimed determining step is not disclosed by *Miller*, but the Examiner then asserts that the claimed determining step is disclosed by *Wall* on paragraph 0046.

According to *Wall*, a reconciliation system will attempt an automatic conflict fix, and if it fails, troubleshooters may then use a workstation **126** to manually work with the reconciliation system to determine what error has caused the connection failure. Thus, based on the above-mentioned description, it is clear that a connection failure has already occurred. In contrast, the claimed determining step determines <u>whether or not</u> there is a connection failure occurred at a network connection, which is a different situation from what's described in *Wall*.

Because the claimed invention recites novel features that are not found in the cited references, whether considered separately or in combination, the § 103 rejection is believed to be overcome.

CONCLUSION

Claims 1-14 are currently pending in the present application. For the reasons stated above, Applicants believe that independent Claims 1 and 8 along with their respective dependent claims are in condition for allowance. The remaining prior art cited by the Examiner but not relied upon has been reviewed and is not believed to show or suggest the claimed invention.

No fee or extension of time is believed to be necessary; however, in the event that any additional fee or extension of time is required for the prosecution of the present application, please charge it against Lenovo Corporation Deposit Account No. **50-3533**.

Respectfully submitted,

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